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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,103	05/21/1999	TRACY LEE NELSON	1176	8645

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EXAMINER

AGDEPPA, HECTOR A

ART UNIT PAPER NUMBER

2642

DATE MAILED: 07/30/2004

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/317,103

Applicant(s)

NELSON ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 108-127 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 108-127 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 5/14/04. Claims 108 - 127 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 108 – 127 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,483,589 (Ishida et al.) in view of US 5,805,690 (Koepper et al.) and further in view of Newton's Telecom Dictionary, 15th Edition (Newton's)

As to claims 108 and 118, Ishida et al. teach an apparatus and method for routing control for a composite network wherein there are multiple nodes capable of receiving call information and depending on various received identifiers determine how to route that call. Inherently or at the least, obviously, each of these nodes has signaling processors embodied in the form of path selecting unit 103, number identifying unit, 101, etc. (Fig. 3)

Furthermore, each of these signal processors has access to a call processing table for selecting identifiers to "classify" the calls and determining how to route calls using the various identifiers such as an activation identifier (AI), node identifier (CC), connection type identifier (V/F), etc. (Fig. 6, Col. 7, line 54 – Col. 8, line 10 of Ishida et al.) Ishida et al. teach that the contemplated network consists of a plurality of connection systems and other networks as well wherein the system may route calls

using any combination of nodes or outside networks such as the PSTN. This must be the case or else a system would not be able to distinguish between one call and another. (Col. 1, lines 52 – 60, Col. 2, line 40 – Col. 3, line 8, Col. 7, line 54 – Col. 9, line 10 of Ishida et al.)

What Ishida et al. does not teach is interworking communications as defined by the ability to support dissimilar communication protocols.

However, Newton's teaches that interworking is known in the telecommunications art and further that many carriers are planning to implement the elements necessary to allow interworking between for example, frame relay and ATM protocols. (P. 436 – 437 of Newton's)

Ishida et al. teach that based on the type of communication requested, which is identified by a dial information and indicated by an identifier, communications are interworked between various connection systems such as a Japanese fax node to the German PSTN. (Col. 10, lines 42 – 64) Clearly this is a situation where potentially different protocols would be encountered, i.e., between Asian telecommunications standards and European communication standards. Even in the US, different protocols are used for different communications systems including TDMA, CDMA, GSM, ATM, frame relay, X.25, etc. As taught by Newton's, it would have been obvious for one of ordinary skill in the art to have implemented interworking in the invention of Ishida et al. because disparate systems could be traversed by a call and expanding compatibility of communications systems is a common motivation that gives rise to such technology.

Ishida et al. also do not teach updating of the call processing tables.

However, updating of call processing tables in switches is old and well known.

Koepper et al. teaches a system and method wherein certain exchange codes (EC) are stored in a local routing table located in a server module (DSM), and if routing information in that routing table is updated, the updated table/information in the table is transmitted to all the other DSMs in the system for storage in their memory. (Col. 8, lines 16 – 24 of Koepper et al.)

It would have been obvious for one of ordinary skill in the art to have implemented such a feature in Ishida et al. inasmuch as Koepper et al. teach a system that operates in the same type of system as Ishida et al. which comprises nodes implemented in different networks, or at least services by different PBXs. (Figs. 4 and 5, Abstract, Col. 3, lines 21 – 55, Col. 7, line 56 – Col. 8, line 24 of Koepper et al.) Moreover, Koepper et al. seeks to provide more efficient routing and signaling for calls and messages. Moreover, Ishida et al. contemplates as well economical/efficient routing (Col. 1, line 59 of Ishida et al.) Also, updating tables in this manner is old and well known and merely one of several methods for updating data throughout a system.

Lastly, because the call processing tables discussed above are updated at each switch, based on service changes and other switches' status, call processing is remotely controlled.

As to claims 109, 111, 113 – 115, 119, 121, and 123 – 125, such is inherent in Ishida et al. There must be an MMI (Man machine interface) in order to update the tables. If done automatically, then it would be obvious then to revert to a manual means of entering information where again, an MMI would be inherently necessary. Also

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inherent is receiving the call data from an operations center. In any semi-modern telecommunications system there is an operations center from which such data is sent. Even if not, the data must be received from somewhere and whether it comes from separate nodes or servers or centers, which is old and well known, or from a single operations center, which is also old and well known, either would be obvious for one of ordinary skill in the art to have implemented in Ishida et al. at the time the invention was made.

Also, Ishida et al. in Fig. 6 teach the use of and storage of routing tables and tables having the called number. As to the ANI, Ishida et al. teach determining automatically whether or not certain connections may be made depending on where the caller is calling from and where the caller is calling to. Therefore it would be inherent, that the ANI information would be needed and stored as a means of determining how to route the calls.

As to claims 110 and 120, if manual entering of data into the call processing tables is done as addressed above, obviously like in almost any other provisioning scenario/system, access will be limited to certain personnel inherently requiring a user security configuration system for giving those certain operators/personnel the required access.

As to claims 112 and 122, a regional craft view system is employed to simply allow an operations center to view configurations of the signaling processor. In any telecommunications system, one will find an operations center allowing certain personnel to look at/change a system's configuration. As such, it would be at the least

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obvious to include such a feature in the invention of Ishida et al. by one of ordinary skill in the art at the time the invention was made. Such a features is old and well known in the art and there is likely no other method of provisioning and controlling a telecommunications system more commonly used giving adequate motivation to implement such a regional craft view system. Furthermore, whether the mechanism used to view configuration is a regional craft view or any other type of mechanism, these are simply an obvious preference for one of ordinary skill in the art.

As to claims 116, 117, 126, and 127, see the rejection of claim 1. Such a limitation merely exploits the interworking aspect. TDM connections are non-ATM connections just like frame relay connections are non-ATM connections. Furthermore, as discussed above, Newton's teaches that interworking may occur between any dissimilar protocols, citing ATM and frame relay merely as one example. TDM communications is known in the art so the ability to interwork a known communication standard with another known standard such as ATM would be obvious for one of ordinary skill in the art at the time the invention was made because the very purposes of interworking stems from the fact that interconnection between different existing protocols is desired.

Response to Arguments

3. Applicant's arguments with respect to claims 108 – 127 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.A.A.
July 14, 2004


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